

CRM-M-17925-2025

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

256

CRM-M-17925-2025

Date of decision : 08.07.2025

Ajay Kumar

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vishal Sodhi, Advocate for petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. Gagandeep Singh Sirphikhi, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Ajay Kumar has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.42 dated 18.03.2020, registered under Sections 323, 34, 406, 498-A, 506 of IPC 1860 at Police Station Sadhaura, District Yamuna Nagar, Haryana (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 08.03.2025 (Annexure P-2).
2. As per facts of the case, complainant Shama Rani filed written complaint against her husband Ajay Kumar and other members of in-laws family alleging that her marriage was solemnized with Ajay Kumar on 08.02.2015. Her parents had spent Rs.20 Lacs on her marriage. She was given dowry articles as per the capacity of her parents. After marriage, she fulfilled all her duties of a good wife. After some time, the accused persons started harassing her for

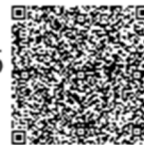


bringing less dowry. She was taunted for not bringing a car and it was alleged that not even a motorcycle has been given. There was demand of Rs.5 Lacs to construct a house. She tried to convince the accused persons that her father was not in a position to satisfy this demand. She was badly beaten up and illtreated in the matrimonial home. Her father had given Rs.1,80,000/- under compelled circumstances to save her marriage. There was continuous maltreatment in the matrimonial home. Finally, she lodged the complaint with the police, on the basis of which present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 03.04.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Bilaspur dated 25.04.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and she has no objection regarding quashing of FIR.

4. Petitioner- Ajay Kumar also confirmed this fact in his statement. Statement of L/HC Anita Rani is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Bilaspur it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. They have mutually settled all their claims arisen from matrimonial dispute. They have decided to part ways by filing joint petition under Section 13-B of Hindu



CRM-M-17925-2025

-3-

Marriage Act. Matter has been settled in Rs.6,00,000/-, out of which Rs.3,00,000/- were to be paid by petitioner to complainant at the time of recording of first motion statements and balance amount of Rs.3,00,000/- will be paid at the time of recording of second motion statements. Thereafter, they will be able to live independently in peace and harmony. No purpose would be served with the continuation of criminal proceedings.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.42 dated 18.03.2020, registered under Sections 323, 34, 406, 498-A, 506 of IPC 1860 at Police Station Sadhaura, District Yamuna Nagar, Haryana (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

08.07.2025.

Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No